

<b>TRANSMITTAL SLIP</b>		DATE 29 June 1971
TO: Chief, Support Services Staff		
ROOM NO. 710	BUILDING Magazine	
REMARKS: Hal:		
<p>Attached is Colonel White's approval of the proposal for coordinating regulatory issuances. Per conversation at noon meeting today, perhaps you should have some guidelines or ground rules in mind for selecting-identifying the "significant"- "major" items when you are ready to discuss with Mr. Wattles and Mr. Coffey.</p> <p>Suggest you try to plot that discussion so it can take place when Mr. <input type="text"/> can also be present.</p> <p style="text-align: right;">RHW</p>		
FROM: Acting Executive Officer-DD/S		
ROOM NO. 7D 26	BUILDING Hqs.	EXTENS <input type="text"/>

FORM NO. 241  
1 FEB 55

REPLACES FORM 36-8  
WHICH MAY BE USED.

(47)

STAT

STAT

Att: DD/S 71-2264 re Coordination of Regulatory Issuances

STAT

EO-DD/S:bkf  (29 Jun 71)

Distribution:

Orig RS - Adse w/Orig of att

① DD/S Subject w/cy of att

SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM			
UNCLASSIFIED		CONFIDENTIAL	
OFFICIAL ROUTING SLIP			
TO	NAME AND ADDRESS	DATE	INITIALS
1	Executive Director-Comptroller 7E-12 Hqs.	6/15	W
2	Deputy Director for Support 7D-18 Hqs.		
3	Chief, Support Services Staff 710 Mag. Bldg.		
4	Chief, Regulations Control Branch 712 Mag. Bldg.		
5			
6			
ACTION		DIRECT REPLY	PREPARE REPLY
APPROVAL		DISPATCH	RECOMMENDATION
COMMENT		FILE	RETURN
CONCURRENCE		INFORMATION	SIGNATURE
Remarks: Jack: I don't think this quite fits the bill. Please discuss with me.			
<div style="border: 1px solid black; width: 200px; height: 40px; margin: 0 auto;"></div>			
FOLD HERE TO RETURN TO SENDER			
FROM: NAME, ADDRESS AND PHONE NO.			DATE
Deputy Director for Support 7D-26 Hqs.			JUN 1971
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FORM NO. 1-67 237 Use previous editions

(40)

STAT

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DD/S 71-2264

Executive Registry

71-3181

7 JUN 1971

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT : Coordination of Regulatory Issuances

1. This memorandum includes a recommendation in paragraph 4 which requires your consideration.

2. At the present time proposed Agency regulations, notices, or handbooks, including proposed amendments to existing publications, are sent for coordination to the following offices:

Executive Director-Comptroller

DD/P

DD/I

DD/S&T

OGC

IG

In reviewing the history of the publication coordination pattern, I find that prior to November 1963 publications were coordinated with the following offices:

DD/S&T (then DD/R)

DD/I

DD/P

OGC

IG

Comptroller

25X1

However, upon the issuance of [ ] on 18 November 1963 establishing the position of Executive Director-Comptroller, our Regulations Control Branch started addressing coordination memoranda to the Executive Director-Comptroller in lieu of their previous addressing to the Comptroller. In February 1964 Mr. [ ] Special Assistant to the Executive Director-Comptroller, requested that Regulations Control Branch forward all coordination memoranda addressed to the Executive Director-Comptroller to the Director, BPAM, and advised that Director, BPAM, would decide when any proposal should be brought to the Executive Director-Comptroller's attention.

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3. It would appear from the above that it was never intended that the Executive Director be involved in the coordination of Agency publications and that the addressing of coordination memoranda to the Executive Director-Comptroller was with the intention of receiving a coordination in-put from the Comptroller activity.

4. I would therefore propose that henceforth we not send publication coordination memoranda to the Executive Director-Comptroller but instead address the memoranda to Director/PPB for his concurrence and/or comments. If you agree with this change, I will undertake to keep you informed of any significant policy issues and major policy changes involved in proposed issuances before they are authenticated for publication.



25X1

John W. Coffey  
Deputy Director  
for Support

cc: Director/PPB

The recommendation in paragraph 4 is approved.

25X1



L. K. White  
Executive Director-Comptroller

25 June 71  
Date

Distribution:

Orig - Adse (Pls return to C/RCB via DD/S)

1 - D/PPB

1 - ER

1 - DD/S subject

1 - DD/S chrono

*Although it would probably be impossible to define precisely just what is "significant" or "major" it is my clear understanding that DDS will be conservative in deciding what is not "significant" or "major"*

25X1



3. It would appear from the above that it was never intended that the Executive Director be involved in the coordination of Agency publications and that the addressing of coordination memoranda to the Executive Director-Comptroller was with the intention of receiving a coordination in-put from the Comptroller activity.

4. I would therefore propose that henceforth we not send publication coordination memoranda to the Executive Director-Comptroller but instead address the memoranda to Director/PPB for his concurrence and/or comments. If you agree with this change, I will undertake to keep you informed of any sensitive policy issues involved in proposed issuances before they are authenticated for publication.



25X1

John W. Coffey  
Deputy Director  
for Support

cc: Director/PPB

The recommendation in paragraph 4 is approved.

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L. K. White  
Executive Director-Comptroller

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Date

Distribution:

Orig - Adse (Pls return to C/RCB via DD/S)

1 - D/PPB

1 - ER

1 - DD/S subject

1 - DD/S chrono

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Resume of [ ] Training at Non-CIA Facilities

- 2 December 1970 - RCB received OTR's proposed revisions.
- 7 January 1971 - Following substantial editorial changes in the proposals, RCB returned them to OTR for review and concurrence in the changes.
- 18 February 1971 - OTR commented on the RCB-edited proposals.
- 22 February 1971 - RCB prepared the proposals for coordination but did not send them out since RCB had decided to incorporate provisions of [ ] 25X1 into [ ] and thereby eliminate need for two separate paragraphs. In contacting OTR for concurrence in this, OTR advised it would have to go over this new change with Mr. Cunningham before a decision could be reached.
- 28 February 1971 - On OTR's request, RCB sent to them a copy of the consolidated version of the proposals. After waiting approximately two weeks for a response, RCB queried OTR/Plans concerning the status of the proposal. RCB was informed that the DC/OTR had approved RCB's recommended changes but that they required the approval of Mr. Cunningham and that he had the proposal under consideration. To expedite a decision by the Chief, OTR, calls were made to [ ] 25X1 [ ] C/Support/OTR, to solicit his assistance in obtaining a decision from Mr. Cunningham.
- 5 April 1971 - As no decision was forthcoming from OTR, RCB submitted a formal memorandum to C/Support/OTR requesting a formal reply by 15 April giving the status of the proposal. No formal response was received by 15 April; therefore, RCB queried the Plans Staff/OTR again regarding the status of the proposal and was advised a decision would be forthcoming within a week. 25X1
- 5 May 1971 - Miss [ ] of Plans Staff/OTR phoned RCB inquiring whether the responsibilities of Heads of Independent Offices should be specified in the regulation. RCB replied yes such provision should be included and that RCB would

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Resume of [ ] Training at Non-CIA Facilities

undertake to make the necessary change. A call was placed to Mr. [ ] to determine what responsibilities, if any, Heads of Independent Offices would have in approving members of their career for full-time academic programs. Although no firm decision was reached, it was agreed that RCB would draft the proposal to indicate the same authority for Heads of Independent Offices as that of Deputy Directors. It was further agreed with Mr. [ ] that the final decision concerning the authority of the Heads of Independent Offices would be made by Col. White once the proposal was submitted for coordination.

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6 May 1971

- The proposal was sent out for coordination by RCB.

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12 MAY 1971

MEMORANDUM FOR: Executive Officer, DD/S

SUBJECT : Status Report on Proposed Issuances Returned to the Initiators

Attached is RCB's initial status report on jobs that have been returned to the initiators either for their review of RCB's redraft of the proposal or for resolution of comments made by the coordinators. This is the first of a series of reports which will be submitted to you monthly on this subject.

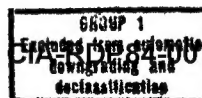
The preparation of this report required extensive changes in the procedures heretofore followed by RCB in recording the status of active jobs. Although formal procedures were being followed respective to jobs sent out for coordination, only informal follow-up procedures were employed by RCB with respect to jobs returned to the initiators. To formalize procedures in the latter case, realistic suspense dates had to be established between RCB and the initiators. This procedure began in late February 1971. To record this information and to have it readily available in RCB, a new Kardex card was designed. This also was done in February 1971. RCB now has both procedures functioning, i.e., the establishment of formal response dates and the recording of these dates on the cards with follow-up procedures.

Concurrently with the revision of the Kardex card to accommodate information pertaining to proposals returned to the initiators, the cards were also revised to provide for information on RCB records that have been microfilmed. The microfilming project was also accomplished during the same period that RCB was establishing procedures for the recording of proposals returned to the initiators.

Jobs in process prior to the establishment of the procedures described above have not been assigned suspense dates under the new procedure. On 5 April 1971, however, RCB sent out memoranda to the various functional offices of the Support Directorate requesting status reports on jobs that were outstanding at that time. Responses were received, and the comments made in the attached report were taken primarily from the comments included in these responses.

In reading these comments, you will note that the Plans Directorate is still the major roadblock in the timely processing of regulations. Although the Plans Directorate is responding more quickly in the

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SUBJECT: Status Report on Proposed Issuances Returned to the Initiators

coordination of proposals, long delays are now being encountered in the resolution of comments made by the Chief, Operational Services. (Note: Twenty of the twenty-five jobs in the attached report are held up because of DDP comments.)

The development of data for this report has confirmed our belief that a suspense system for initiators must be maintained on all future proposals. Jobs returned to the initiators often lie inactive for several months because the initiators and those who made the comments cannot come to terms. The differences, of course, almost always cross directorate lines, thereby making it more difficult for the initiators to resolve the differences. As in the case of coordination, however, RCB does use its good offices for mediation, and maintains continuing contact with those responsible for resolution of comments. This is usually done by a telephone call or a short note to the initiator. The suspense system just established and the reporting to the Office of the DD/S of proposals that are overdue can give additional leverage in keeping these proposals moving.

RCB's workload now averages eighty-seven active proposals, down from an average of 124 one year ago and an average of 171 two years ago. During the past twelve months, RCB's average new job input was twenty-nine proposals per month. This is up from a previous five-year average of twenty-seven new proposals per month. Out of the eighty-seven active proposals in process, twenty-five of these jobs are noted in the attached report, twelve jobs were reported in our April monthly report on coordination as delinquent, and the remaining fifty jobs, therefore, are being processed within the time frames established by RCB or as requested by the initiator.

Under the present system of publishing regulations through the coordination process, we may continue to expect that proposals containing extensive substantive changes will take longer to resolve than less complicated proposals. By reporting to you monthly on delinquent cases in the hands of the initiators, however, it is hoped that more weight may be brought to bear on the initiator for more expeditious resolution of comments made by the coordinators. It may be helpful to give the SSA-DD/S a copy of this report, along with the Status of Coordination Report which he and the Chief, Operational Services now receive. In any event, I recommend that we arrange a meeting with interested parties, i.e., Mr. Wattles,

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SUBJECT: Status Report on Proposed Issuances Returned to the  
Initiators

25X1

Mr. [REDACTED] to determine what action  
should be taken to expedite publication of these regulations.

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[REDACTED]  
Chief, Regulations Control Branch

Attachments A & B

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25X1

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### COORDINATION PATTERN

Prior to 1960 the coordination pattern was very extensive. Copies of issuances were being sent to DDI, DDP, IG and all the support offices.

June 1960 - A change in the coordination pattern was made in June 1960. This change was brought about by a memorandum sent to the DCI from DDS dated 9 June 1960 (Tab A) which gave us the pattern

DDI  
DDP  
IG  
GC (for legal advice)

STAT May 1962 - [ ] effective 1 April 1962 (Tab B) transferred Comptroller and OGC to the Director's office - which gave us the pattern (See note dated 18 May 1962 attached)

DDR (DDS&T)  
DDI  
DDP  
OGC  
IG  
Comptroller

STAT Nov 1963 - [ ] effective 18 November 1963 (Tab C) announced the title of Executive Director-Comptroller. The title of Comptroller was changed to Executive Director-Comptroller on the coordination memorandum

STAT Nov 1963 - [ ] effective 18 November 1963 (Tab D) established the Office of Budget, Program Analysis and Manpower - reporting to Executive Director-Comptroller

STAT Feb 1964 - Mr. [ ] requested that all coordination copies sent to Executive Director-Comptroller be sent to Director, BPAM (See note (Tab E)) (Memo for the Record dated 3/23/64)

Attached for your information is the Inspector General's Report dated 18 October 1965 (Tab F). Several pages are clipped because they are dealing with the coordination process.

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DD/S 60-2230

9 Jun 1960

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : Processing Agency Regulatory Material

1. This memorandum contains recommendations for your approval. Such recommendations are contained in paragraphs 4 and 6.

2. The Support Procedures Committee, which I established some time ago, has completed a review of the Agency's system of processing regulatory material pertaining to Support and related activities. The Committee's conclusions are stated briefly as follows:

a. The excessive amount of time spent in processing regulations and the duplication of effort involved appears to be unjustified;

b. The rigidity of the present system works against the keeping of Agency regulatory material current;

c. Delays encountered in coordinating regulations are due rarely to any differences in substance but are usually the result of editorial differences or the amount of detailed and duplicate review given to each document; and

d. In turn, these delays often create additional administrative problems and headaches which promote inefficiency.

3. Under the present system the processing of regulatory material goes through the following steps:

a. The originating office submits a proposed issuance to this Office for preliminary review;

b. Approval is then given (if the proposed issuance appears to be justified) to the originating component to coordinate it with those Support elements which have a legitimate interest in the subject;

CIA INTERNAL USE ONLY

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c. The proposal is then sent to the printing plant where a sufficient number of copies is produced (normally 45);

d. These copies are distributed to the Deputy Director (Plans), Deputy Director (Intelligence), and the Inspector General for their review and comment;

e. These Offices, in turn, distribute copies to their subordinate offices for review and comment; and

f. Comments received by these major components are then consolidated and forwarded to this Office where the draft is revised to incorporate the suggestions or rebuttals are made indicating why the comments are not acceptable.

This complicated process invariably leads to long delays and an accumulation of pending issuances which, when all added together, create a real hardship on personnel who must depend upon the Agency's regulatory system for proper guidance. For example, it is not uncommon for us to spend several weeks in effecting a minor change in our regulations which is brought about by a revision in the Standardized Government Travel or Allowance Regulations or Foreign Service Regulations. The point is also made that the present system does not permit prompt action to rectify the mistake if an error or omission is discovered after a regulation has been published.

4. The Committee proposes that we modify our present system to provide for greater flexibility. In making this suggestion the Committee recognizes that coordination is a very necessary and desirable thing, but believes that Agency-wide coordination of regulatory material should be limited to those issuances which establish or change Agency policy, levy new requirements, or substantially affect the responsibilities and functions of Agency components. The Committee recommends that we discontinue the extensive coordination of those issuances which are clearly of a routine nature or occasioned by changes required by law, or by administrative action of other Federal departments or agencies. This would include technical handbooks and changes in issuances involving such subjects as travel and allowances, procurement and supply, personnel processes, etc.

5. I concur in the Committee's recommendations and believe that we have reached a point of maturity in the Agency where the amount of coordination that once was desirable is no longer needed. I also believe that these changes will have a salutary effect upon the originating offices since they would naturally feel a greater sense of responsibility in insuring that the issuance was proper and correct in all respects.

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6. It is recommended that you approve the proposal contained in paragraph 4 above and also delegate to the Deputy Director (Support) the authority to determine the extent to which a given regulatory issuance would be coordinated.

/s/  
L. K. WHITE  
Deputy Director  
(Support)

CONCURRENCES:

/s/ Helms  
Deputy Director (Plans)

6/14/60  
Date

/s/ Amory  
Deputy Director (Intelligence)

6/16/60  
Date

/s/ L K  
Inspector General

6/22/60  
Date

The recommendations contained in paragraphs 4 and 6 are approved.

C P C  
acting ALLEN-W.-DULLES  
Director of Central Intelligence

6/25/60  
Date

EA-DD/S:CEB:bjf (9 Jun 60)

Distribution:

Orig - DD/S

- 1 - ER
- 1 - DCI
- 1 - DDCI
- 1 - IG
- 2 - DD/P
- 1 - COPS-DD/P
- 1 - SSA-DD/S
- 1 - C/OPSER
- 1 - DD/I
- 1 - DD/S Chrono
- 1 - C/Suppt Procedures

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**C-O-N-F-I-D-E-N-T-I-A-L**

This Notice Expires 1 July 1962

**ORGANIZATION**

20 March 1962

25X1

**ANNOUNCEMENT OF ORGANIZATIONAL CHANGES**

The following Organizational changes are effective 1 April 1962.

1. The Deputy Director (Support) is relieved of the responsibilities prescribed in [ ] for directing and coordinating the activities of the General Counsel, the Audit Staff, and the Comptroller.

2. The Inspector General is established as a separate component reporting to the Office of the Director. He will assume responsibility for coordinating and directing the activities of the Audit Staff and is relieved of his responsibility for providing general guidance and supervision to the Legislative Counsel.

3. The General Counsel will report to the Office of the Director and will assume responsibility for general guidance and supervision of the Legislative Counsel.

4. The Comptroller will report to the Office of the Director.

5. For purposes of this notice and related organizational matters, the Office of the Director includes the Office of the Deputy Director of Central Intelligence and other executive responsibilities assigned to that office.

*John A. McCone*  
John A. McCone

Director of Central Intelligence

DISTRIBUTION: AB

204 SS 7-11-65  
**C-O-N-F-I-D-E-N-T-I-A-L**

POLICY: COORDINATION

18 May 1962

Changes in our standard coordination pattern were discussed with

STAT

Mr.  Starting immediately we will:

1. Coordinate with: DD/R *bbs & T*  
OGC  
IG  
Comptroller (If function concerned)

at same time we coordinate with DD/I and DD/P.

2. No longer necessary to coordinate everything with IG on the 3-day basis.
3. PRIOR OGC coordination should be effected only if we have reason to believe there may be a legal question involved.
4. No need to coordinate with Executive Director.

Remove cc

SG

JHB

GHT

Info

ROD

MGM

CW

Initial

*CS*

*SGH* 5/21/62

*GH* 21 MAY 1962

*rad*

*mjg*

*cu*

Orig: POLICY-COORDINATION

C-O-N-F-I-D-E-N-T-I-A-L

This Notice Expires 1 March 1964

ORGANIZATION

26 November 1963

25X1

ANNOUNCEMENT OF ORGANIZATIONAL CHANGES

The following organizational changes are effective 18 November 1963.

1. The Office of the Comptroller is made an integral part of the Office of the Executive Director. Its component elements will be reassigned in accordance with the realignment of responsibilities stated below.

2. Under the direction, authority, and control of the Director of Central Intelligence and the Deputy Director, the Executive Director-Comptroller shall perform the following functions in his assigned area of responsibility.

a. He acts for or in the absence of the Director and the Deputy Director in exercising directive and approval authority, and in the absence of both is designated the Acting Director.

b. He will perform the functions of the Executive Director as delineated in [ ] of 16 August 1963.

c. He will perform the functions of Comptroller as delineated in [ ] of 16 August 1963.

d. He may realign the Comptroller functions as specified by [ ] as may be required to establish the Offices specified in paragraphs 3 and 4 below.

3. There is established in the Office of the Executive Director-Comptroller a Budget Division, a Program Analysis Staff, and a Manpower Control Staff. These units will assist the Executive Director-Comptroller in the development and execution of budgetary and financial policy, program review, and the exercise of manpower and financial controls.

1

C-O-N-F-I-D-E-N-T-I-A-L

GROUP 1  
Excluded from automatic  
downgrading and  
declassification

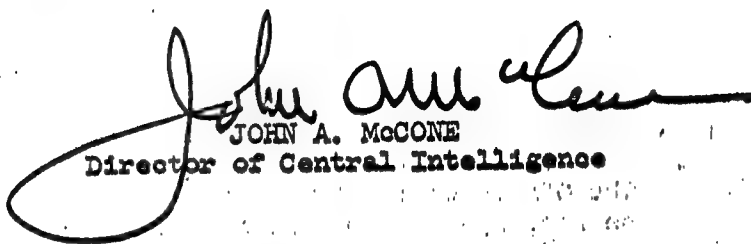
C-O-N-F-I-D-E-N-T-I-A-L

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26 November 1963

ORGANIZATION

4. There is established in the Office of the Deputy Director for Support, the Office of Finance with responsibility for financial operations of the Agency, for the establishment and maintenance of accounting systems, and for systems and procedures for control of the Agency funds, assets, and liabilities.

  
JOHN A. McCONE  
Director of Central Intelligence

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C-O-N-F-I-D-E-N-T-I-A-L

C-O-N-F-I-D-E-N-T-I-A-L

This Notice Expires 1 March 1964

ORGANIZATION

9 December 1963

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OFFICE OF BUDGET, PROGRAM ANALYSIS, AND MANPOWER

1. Effective 18 November 1963, the Office of Budget, Program Analysis, and Manpower was established. This office will report directly to the Executive Director-Comptroller.

2. Effective the same date, John M. Clarke was appointed Director of Budget, Program Analysis, and Manpower.

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

L. K. WHITE  
Deputy Director  
for Support

DISTRIBUTION: AB

C-O-N-F-I-D-E-N-T-I-A-L

GROUP 1  
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MEMO FOR THE RECORD

3/23/64

RHW said he was returning to us a proposed revision we had sent up for authentication. His reason for returning it was to have us coordinate it with all DD's and OGC. (This change concerned the deletion from regulations of an ORR responsibility which had been dropped as a result of an IG survey.)

It had seemed to us that coordination of this after-the-fact action would serve no useful purpose and was not appropriate in view of Col. White's policy stated in par. 5 of his memo of 6/9/60 to the DCI. Believing RHW not aware of that memo, I sent him a copy. (See item 19 in Coordination Policy (4) file.)

3/24/64

RHW unwilling to discuss this matter so can only assume this was not an oversight of former stated policy but, in fact, an intended change in that policy.

RCS editors will henceforth assure that all proposals submitted for authentication have been coordinated with:

D/BPAM (for O/DCI)

DDS&T

DDP

DDI

IG

GC

Any DDS component having direct concern with proposal.

*GHT*  
GHT

24 MAR  
1964

GHT

SGK

JHB

ROD

*Pls file as item 26 in Coord Policy file.*

SECRET

18 OCT 1965

MEMORANDUM FOR: Deputy Director for Support

SUBJECT : CIA Regulatory Issuances

1. In response to subparagraph e. of Col. White's memorandum DB/S 65-1507, there is attached a report of findings, conclusions, and proposals for improving the working of the system for CIA regulatory issuances.

2. Based upon this report, it is recommended that:

a. The Deputy Director for Support request the Executive Director-Comptroller to establish a Committee on Regulations, under the chairmanship of the Deputy Director for Support and comprised of senior representatives from each directorate and independent office, to review proposed regulations that involve innovations of policy or that are the subject of disagreement between the originating office and other offices.

b. The Deputy Director for Support require, before accepting a proposed regulation for coordination,

(1) That the originating office comply with [redacted] 1.b., which specifies that the originating office "shall obtain the comment of other offices having related or interdependent responsibilities and functions or whose activities or personnel are substantially affected thereby, before submitting it...."

(2) That the originating office submit a detailed justification of the proposed regulation.

c. The Deputy Director for Support, after accepting a proposed regulation, before commencing coordination shall,

(1) Review the proposed regulation to evaluate its need and its effect on existing regulations,

(2) In those instances where there are policy innovations or apparent differences between originating offices and other offices, submit the proposed regulation to the Committee on Regulations.

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SECRET

d. The Deputy Director for Support fix and enforce a specific deadline for the coordination of each proposed regulation, not to exceed 30 days. A longer coordination period may be granted on written request. Noncompliance with the deadline shall be brought to the personal attention of the offending directorate's member on the Committee on Regulations.

e. A special effort be made to minimize the use of book dispatches in lieu of regulatory issuances.

f. The Office of the General Counsel be requested to submit recommendations on the form of regulatory issuances, paragraphs, organization, and on documentation of the history of amended regulations.

/s/ J. S. Earman

J. S. Earman  
Inspector General

Attachment  
(Report: CIA Regulatory Issuances)

20 MAR 1961  
SECRET  
COMINT DIVISION

- 2 -

SECRET

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S-E-C-R-E-T

## CIA REGULATORY ISSUANCES

Background

1. The suggestion for review of Agency regulatory issuances was included as one of a number of areas for Inspector General exploration in a memorandum from the Deputy Director for Support of 7 April 1955. In his memorandum Colonel White stated, "the Agency regulatory process has also been a vexing and time-consuming process which, in my judgment, continues to leave a great deal to be desired. Practically all components of the Agency are at times involved, and, of course, any change in regulations has an Agency-wide effect. There are a number of questions involved: Is our coordination system right? Is there a duplication between Agency regulatory issuances and other intra-Agency issuances, employee bulletins, financial instructions, etc.?"

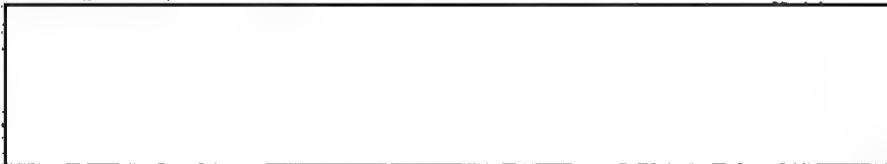
Time and Scope

2. The review consisted of interviews with senior representatives of the four Agency directorates and of the Office of General Counsel, the Chief of the Regulations Control Staff/DOS, and the Chief of the Publications Control Group/DDP. Substantively, the review was restricted to an examination of the methods which are used to develop, coordinate and distribute Agency regulatory issuances. To assist the evaluation of the current Agency system, the State Department regulations and the 1956 Inspector General report, "Survey of CIA Regulations," were consulted.

Types of Agency Regulatory Issuances

3. Two directorates issue regulations, instructions and notices which are Agency-wide or affect more than one Agency directorate.

a. The Deputy Director for Support has the primary responsibility for developing, coordinating and distributing Headquarters Regulations (HRs), Headquarters Notices (HNs), Headquarters Handbooks (HHBs), and all Employee Bulletins.



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d. Beyond these issuances affecting more than one or all of the Agency directorates and independent offices, each directorate and within the directorates, each office, and very often lesser components issue intra-office instructions and notices. These issuances are only applicable to the office in which they have been issued. Since the Agency has no central repository at which all of these issuances are available, a specific inventory of intra-office issuances would have to be made and a special review undertaken in order to determine their compliance or noncompliance with Agency regulations. For purposes of this report, it is presumed that these intra-office instructions are consistent with over-all Agency regulations.

#### Initiation and Coordination of Regulatory Issuances

4. [ ] (revised 10 April 1954) states that "policy, doctrine or procedure that is Agency-wide in application shall be published within the regulatory system...Agency regulatory issuances shall be developed as a cooperative effort and conflicting views shall be resolved by appropriate authority before authentication and publication. The office which proposes a regulatory issuance shall obtain the comments of other offices having related or interdependent responsibilities and functions or whose activities or personnel are substantially affected thereby before submitting it to the Deputy Director for Support. The Deputy Director

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for Support will determine the formal coordination to be effected and will establish the time limits within which coordination action shall be completed."

5. The bulk of the Headquarters regulations [redacted] are initiated by elements of the DDS. Whenever an amendment or change for an existing regulation or a new regulation becomes necessary, an appropriate draft is submitted to the Regulations Control Staff/DDS. At the time of its submission this draft will have been informally coordinated within the DDS structure. The Regulations Control Staff assigns a job number, checks references and attachments of the draft regulation or draft amendment or change, where necessary edits the draft and puts it into appropriate regulatory language and submits a final draft copy via the Special Planning Assistant to the Deputy Director for Support for coordination by the "Big Six": the Executive Director-Comptroller, the Deputy Director for Plans, the Deputy Director for Intelligence, the Deputy Director for Science and Technology, the Office of General Counsel, and the Inspector General. Where appropriate, the Special Planning Assistant/DDS sets a deadline by which coordination by the "Big Six" is to be completed. In many instances, however, no time limit will be set. In case of serious objections on the part of one or more of the coordinating offices, a second round of coordination may become necessary and will be mandatory with regard to the Office of General Counsel in order to insure compliance with all legal requirements. In addition to its substantive coordination responsibility, the Office of General Counsel also determines which Agency-wide regulatory issuances must be authenticated by the Director of Central Intelligence and which issuances can be promulgated over the signature of the Deputy Director for Support.

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Discussion

8. The primary problem in the working of the Agency regulatory system is the excessive delay in the coordination and promulgation of regulatory issuances. There are a number of reasons for these delays. Because of the over-all DDP responsibility for all Agency overseas establishments, the Deputy Director for Plans has a further reaching and more specific requirement for a thorough review of all proposed regulatory issuances than the other coordinating offices with the exception of the Office of General Counsel. The Chief, Operational Services (C/OPSER), has been designated DDP representative for Agency regulatory issuances. His staff for this is the Publications Control Group (DDP/PC), which is also responsible for DDP regulations and notices. The study and research considered necessary for adequate DDP review of proposed regulations, when combined with the high volume of proposals and the other work of C/OPSER and DDP/PC, has made them a delay point in the processing of Agency regulatory material.

9. Some other delays are caused by the Office of General Counsel when research into legislation, Comptroller General decisions, or other precedents cannot be completed within set time limits. Finally, delays may be caused by disagreement, requested additional time by coordinating offices that find the problem too complex for ready response, or for minor internal difficulties, e.g. illness, leave, etc., of personnel.

10. In this connection, it might be cited that a revision of the Agency Travel Regulation to make it conform with a new State Department regulation of May 1964 started its coordination process in November 1964. This was not completed until 9 September 1965. The two primary delays occurred in the Office of Finance and in the DDP. The Deputy Director for Support found it necessary to take direct action to resolve outstanding disagreements in order that the revision might be on our books before the 1965 revision of the State Department regulation. Another telling example of the difficulties in coordinating a Headquarters regulation is the attempt of the Deputy Director for Science and Technology to update its functional

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25X1 statement, [ ] The revision was received by the Regulations Control Staff on 21 December 1964. All directorates had commented by 20 April 1965. Some of the comments indicated such complete divergence of views and positions that the Deputy Director for Science and Technology decided to withdraw the existing version rather than try to achieve a generally accepted new version. A third example is the attempt to update the mission and functions of the Office of Communications. This draft was received by the Regulations Control Staff on 3 March 1964. Because this draft had received considerable informal coordination prior to its submission to the Regulations Control Staff, a five-day limit for coordination was established. On 29 January 1965 the Chief, Publications Control Group/DSP, promised to meet soon with the Office of Communications to redraft [ ]. The revision was finally issued on 16 July 1965.]

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11. As of 23 June 1965 the Regulations Control Staff/DSP had pending one regulatory issuance dating back to November 1962, five regulatory issuances dating back to 1963, 25 regulatory issuances dating back to 1964, and nine regulatory issuances dating from 1965 but pending for more than four weeks.

12. The difficulties in achieving coordination and promulgation of Headquarters regulations on a timely basis has encouraged the misuse of Headquarters Notices [ ] in order to keep policy and procedural changes reasonably up to date. [ ] specifically states that Headquarters [ ] shall not be used as the basic medium to convey permanent directives." A recent example of such misuse is [ ], dated 2 July 1965, which has a header, "This Notice Expires 1 August 1966"; its subject, "Policy on Employment of Members and Former Members of the Peace Corps." Since the Peace Corps will continue to exist beyond 1 August 1966 and the policy enunciated in [ ] has been Peace Corps and Agency policy almost from the inception of the Peace Corps, an HR would have been called for under Agency regulatory definitions. The explanation for the use of a notice of limited duration rather than a regulation is that expeditious promulgation of this policy was required and coordinators do not look as closely at a notice as they dissect a regulation. It is anticipated that this notice will be converted into an HR or included as an additional item in an existing HR prior to its expiration.

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13. A fair number of complaints were voiced on the insufficiency of the index for Agency regulatory issuances. On the other hand, the question was raised whether both the complete index and the individual table of contents for each of the categories of regulations are required. There is further dissatisfaction, particularly on the part of the Office of General Counsel, with the organization, paragraphing, and drafting of Agency regulations. From a legal point of view the printing format of amendments of Agency regulations is considered deficient because it does not provide a handy record of the history and nature of all changes.

14. There exists a widespread feeling that the Agency is overloading its regulatory system with too many details and legislates for too many contingency situations. Besides the tendency of technicians to have a regulation for almost anything in their particular area, both top Agency management and the Inspector General are blamed for some of the proliferation of detailed regulations and procedures.

#### Conclusions

15. The most glaring shortcoming in the current operation of the Agency regulatory issuances system is the long delay in the coordination phase. The problem is not new. It existed at the time of the 1956 Inspector General Survey. Corrective action was then taken so that on 25 March 1957 the Deputy Director for Support reported to the Deputy Director of Central Intelligence: "The large backlog of proposed Regulations for which Deputy Director (Plans) coordination was long overdue has been eliminated. I am pleased to report that as of 1 March 1957 only six subjects of Regulations have been in coordination in Deputy Director (Plans) longer than six weeks and none of these date before 10 December 1956. We must recognize that some subjects are extremely complex and require extensive coordination because of their widespread interest. In general, however, we find that our processing is so geared now that most issuances can be published within a few weeks after initial drafting. Continued efforts will be made to control the coordination process, and I feel we have an effective system to insure prompt publication of proposed regulatory issuances."

16. Backsliding has occurred since then. The 1956 Inspector General Survey explained the coordination delays as follows: "... increasingly the level at which coordination is effected has descended within individual components so that proposed regulations

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are now reviewed in most instances by quite subordinate personnel. Excessive delays and picayune objections are the result," and prescribed the following remedy: "...we must recapture the initial enthusiasm of 1953 and re-interest senior Agency personnel in the prompt and intelligent review of proposed regulatory material. In instances when coordination of a regulation has bogged down because of excessive delay of a component, the Regulations Control Staff should refer the proposed regulation to the Director of Central Intelligence, through the initiating Deputy Director, for decision."

17. The current problem can in part be ascribed to the reasons cited in 1956 but it must also be recognized that the continuing stream of drafts of regulatory issuances will of necessity take a back seat in the priority ranking of senior officials. However, interwoven in the delay problem and perhaps its most significant aspect is the continuing DD/P concern that the regulatory process serves to erode the area of DD/P responsibility and to restrict the flexibility which the Clandestine Services need for the effective pursuit of the assigned mission. As a result the coordination becomes a painstaking examination for the "real intent" and "the meaning between the lines." While admittedly generally useful suggestions also accrue, on balance the price for this scrutiny is considerable and probably too high since it makes timely changes or introduction of new regulations discouragingly tedious. In short, regulatory issuances are used as a point of reference for resolving doctrinal differences of view regarding centralized administration in CIA versus a loose federation of almost autonomous directorates.

18. Even in the absence of early resolution of the fundamental differences of view, a number of changes in the mechanics of coordinating regulatory issuances might help to achieve a general speed-up in the working of the system. This can be done without impairing the principles of "cooperative effort" and consent by all affected elements prior to promulgation of new or amendments or changes to regulatory issuances.

a. The now uniform handling of the coordination process through written memoranda requires assistance through face-to-face meetings in those instances where major policy innovations are contemplated or where an impasse has been reached during the coordination of what initially was judged a rather routine matter. For this purpose the Deputy Director for Support

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intends to establish a Committee on Regulations under his chairmanship. Committee membership should not be below the Assistant Deputy Director Level or Deputy Chief in the case of the Inspector General and General Counsel. The number of meetings of this committee should probably not exceed three or four a year, but its formal establishment appears to be a requirement to assure its meaningful functioning.

b. Each draft of a regulatory issuance circulated for coordination should carry a deadline for submissions of concurrences or nonconcurrences. The practice of currently not setting such time limits in many instances is understandable in light of poor compliance with deadlines by coordinating offices and lack of enforcement power. However, in the interest of a truly working system, enforcement must be available and exercised. It is recognized that different types of regulatory issuances dealing with matters of different degrees of complexity require a flexible approach in setting coordination deadlines. Paragraph 1.b. of [ ] establishes therefore no specific number of working days as compared with the Department of State which allows only five working days for coordination. There can be an extension of this limit on the basis of approval of written substantiated requests. No coordination should exceed a calendar month, and in many cases a considerably shorter time period should be sufficient. This is particularly so if the procedure of paragraph 1.b. of [ ] is followed, requiring that "the office which proposes a regulatory issuance shall obtain the comments of other offices having related or interdependent responsibilities and functions or whose activities or personnel are substantially affected thereby, before submitting it to the Deputy Director for Support" and major policy innovations are resolved per subparagraph a. above. In instances where for valid reasons a longer coordination period is required, exception should be requested with an explanation of the reasons. Noncompliance with coordination deadlines should be brought to the personal attention of the pertinent directorate member of the Committee on Regulations for immediate action.

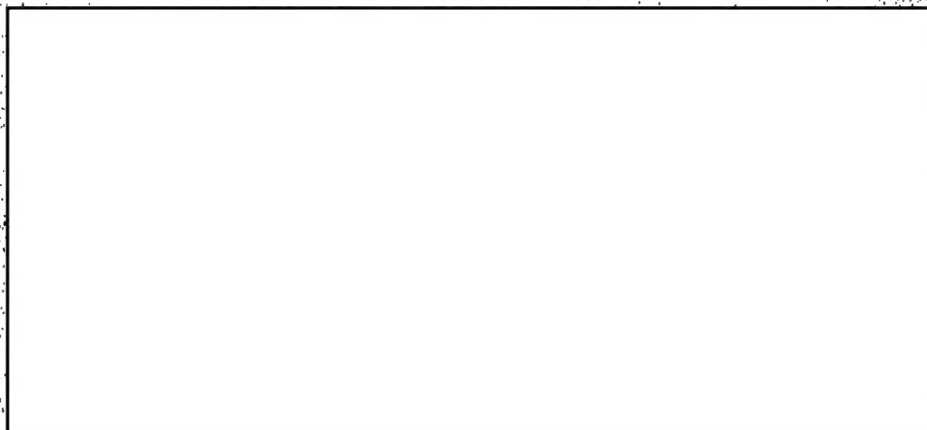
c. A corollary to establishing realistic deadlines for the coordination process and enforcing them is the return to a continuous hard-headed screening of all proposals for

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new or additional regulations as to the demonstrated need to add to the ever-growing size of our regulatory volumes. Each office originating new regulations should be required to submit a detailed justification for each proposed regulation. The DD/S or his designated representative should not let coordination proceed unless he is satisfied on the question of need. Conversely, coordinating offices should be encouraged to state their view as to the need for new regulations submitted for their coordination and should not simply concur because this appears to be the easier thing to do. This same screening phase should also be used to enforce compliance with the criteria for the different Agency regulatory issuances and not allow the use of notices when a regulation is called for.



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19. The foregoing suggestions stay completely within the established system and are simply meant to improve its working efficiency. However, in view of criticism from the Office of General Counsel that drafting, paragraphing, organization, and content and time documentation of changes of regulations need improving, the OGC should be invited to make recommendations for changes in those areas. The anticipated gain from such proposals will then have to be weighed against the considerable cost of conversion in arriving at a decision whether to accept the OGC proposal for implementation.

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Aug 66

MEMORANDUM FOR: Inspector General

SUBJECT : CIA Regulatory Issuances

REFERENCE : Memo dtd 16 Oct 65 to DD/S fr IG, same subj.

1. I wish to express my appreciation for the study your office made of the Agency Regulatory Issuance System last fall, and for recommending measures for the improvement of the regulations, as well as the System. I consider these suggestions constructive and useful, and I have implemented them wherever practicable. While I don't believe your report of survey contemplated a response, I would like you to know the extent to which your recommendations have been implemented.

2. As you suggested, a Committee on Regulations has been established and is functioning. This Committee serves under the chairmanship of the Assistant Deputy Director for Support, with the other Assistant Deputy Directors as members together with appropriate representation from the Office of the Executive Director-Comptroller.

3. In response to the recommendations in paragraphs 2.b, 2.c, and 2.d of your memorandum, the following procedures will be implemented. The Initiator of any regulatory issuance will submit it directly to my office as soon as it has been drafted to his satisfaction and coordinated with affected Support Offices without attempting to get agreement from other interested Independent Offices or Directorates, except as it is necessary in order to develop a meaningful issuance. In making the submission to the Deputy Director for Support, the need for the issuance shall be explained and justified. Any new policy or proposed change to existing policy is also to be highlighted, and any issue which the Initiator may expect to be controversial is to be identified. Proposals will be reviewed in my office for a determination of need for the issuance and evaluation of the policy implications. If there are policy implications, the issues will be presented to the Committee on Regulations for consideration before the proposed issuance is circulated for the normal coordination processing. The Initiator ordinarily will be represented at the Committee meeting when his proposal is being discussed. After the Committee has agreed upon the policy which should be adopted by the

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Agency, the proposed issuance will be revised to incorporate the policy guidance offered by the Committee's conclusions. The proposal will then be circulated for the normal coordination processing. Proposed issuances where there are no apparent or potential policy problems will be coordinated as soon as possible after they are received. Realistic deadlines for completion of the coordination process will be established.

4. As you further suggested, I requested and have received proposals from the Office of the General Counsel as to the form of the Agency regulatory issuances. These proposals have been discussed with the Office of the General Counsel and members of my staff, and we have agreed to eliminate the statement from regulation transmittal sheets which prohibits their being filed in the regulations manuals. It was also agreed that we would consider the feasibility of using transmittal sheets or instruction sheets with notices that are regulatory rather than informative in character. These instruction sheets would be incorporated into the consecutive numbering system now used for regulations in order that such components as the General Counsel, Office of Finance, and Audit Staff can retain them and use them for reassurance that they have received all significant regulatory issuances, as well as reconstruct the history of previous issuances dealing with the same subject. Notices announcing assignment to key positions will normally expire at issue inasmuch as it is the official personnel action, not the notice, that accomplished the appointment. Occasionally an expiration date of 30 days may be set when considered appropriate.

5. As to changes in the format of the regulations, this requires further study and a great deal of effort which is not feasible at this time. However, this matter will be given further consideration, and efforts will be made to pursue this study as adequate manpower becomes available.

R. L. Sammerman  
Deputy Director  
for Support

SA-DD/S:RHW:dek (9 Aug 66)

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